

ORDINANCE NO. 2014- 3722

AN ORDINANCE TO AUTHORIZE THE EXPENDITURE AND DIRECT THE SAFETY SERVICE DIRECTOR TO ENTER INTO A CHANGE ORDER WITH THE ENGINEERING FIRM STANTEC CONSULTING SERVICES, INC. FOR AN INCREASE IN THE PROJECT BUDGET AMOUNT NOT TO EXCEED \$11,500.00, FOR THE BALLVILLE DAM PROJECT NEPA COMPLIANCE IN FREMONT, STATE OF OHIO AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE COUNCIL, CITY OF FREMONT, STATE OF OHIO:

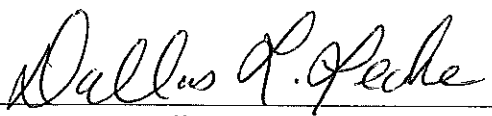
**SECTION 1.** The Fremont City Council hereby authorizes the expenditure and directs the Safety Service Director to enter into a Change Order, attached as Exhibit A, with the engineering firm Stantec Consulting Services, Inc., in an amount not to exceed \$11,500.00 for the Ballville Dam Project NEPA Compliance.

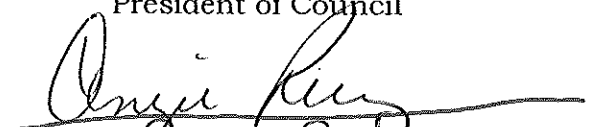
**SECTION 2.** The \$11,500.00 allocated by Fremont City Council is to be appropriated from Fund No. 541 the Water Replace/Improvement Fund.

**SECTION 3.** It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Revised Code of Ohio.

**SECTION 4.** The immediate operation of the provisions of this ordinance is necessary for the immediate preservation of the public peace, health, safety and welfare of the citizens of the City of Fremont. Said emergency being the need to comply with regulations of the US Fish and Wildlife Service (USFWS) and the Ohio Department of Natural Resources (ODNR).

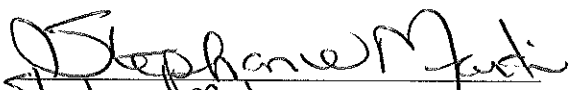
This ordinance, provided it receives a two-thirds yea or nay vote of all the members elected to the Fremont City Council, is hereby declared to be an emergency measure and this ordinance shall be in full force and effect from and after its passage by the Council of the City of Fremont, approval by the Mayor, and publication and posting as required by law.

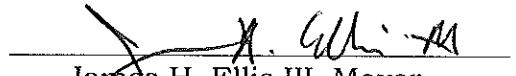
  
Dallas L. Leake  
President of Council

  
Angie Ruiz  
President of Council  
Pro Tem

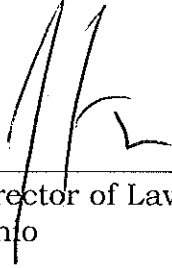
PASSED: 7-17-14  
Effective Date: 7-17-14

YEAS: 5 NAYS: \_\_\_\_\_

  
Stephanie Matin, Clerk of Council

  
James H. Ellis III, Mayor

Approved as to form:

A handwritten signature in black ink, appearing to be 'JFM', written over a horizontal line.

James F. Melle, Director of Law  
City of Fremont, Ohio



June 5, 2014  
File: 175631016

Honorable Jim Ellis, Mayor  
City of Fremont  
323 South Front Street  
Fremont, Ohio 43420

Dear Mayor Ellis,

**Reference: Estimated Cost to Complete the Final Environmental Impact Statement**

This letter was prepared in response to your June 3, 2014 e-mail requesting an estimate for completing the work remaining on the Final Environmental Impact Statement (FEIS). As discussed in prior conversations we believe that most of the work is complete and that the U.S. Fish and Wildlife Service (USFWS) requires minimal technical assistance on a few remaining items. Stantec personnel consulted with USFWS regarding the remaining work items and the estimated effort described below reflects those discussions.

**Coordination with Cooperating Agencies**

This labor estimate assumes that Stantec personnel will participate in two conference calls with Cooperating Agencies and one preparatory call with USFWS. Stantec personnel would be responsible for responding to technical questions generated in these discussions. We assume that responses to comments, requested edits, etc. would require no more than 24 hours of staff time.

Estimated fee: \$5,100

**Modify Appendices to Reflect Requested Changes in ICS Construction Methods**

The USEPA recommended construction of ice control structures in the dry, using temporary dewatering methods, such as cofferdams, around each proposed concrete pier. These methods were not envisioned in the original plans. Consequently, several sections must be updated to reflect this change including:

- the design memos for the dam removal alternatives,
- descriptions of the ICS construction in the main body of the document,
- fill calculations throughout the EIS, and
- figures and plan sheets.



June 5, 2014  
Page 2 of 2

**Reference: Estimated Cost to Complete the Final Environmental Impact Statement**

Estimated fee: \$4,600

**Administrative Record**

Stantec will support USFWS in assembling the Administrative Record for the FEIS. Potential work items might include exchanging relevant files (e.g., meeting minutes) and/or consulting staff notes and other forms of documentation regarding decision processes. We believe that this work is substantially complete but have allocated 8 hours for one staff person in the event that gaps in the record are discovered.

Estimated fee: \$1,800

In summary Stantec is requesting an additional \$11,500 to support USFWS in finalizing the FEIS.

Regards,

**Stantec Consulting Services Inc.**

Cody Fleece  
Senior Associate Ecologist  
Phone: 513-842-8238  
Fax: 513-842-8250  
cody.fleece@stantec.com

c. Scott Peyton, Stantec Consulting Services Inc.  
Brian Elkington, U.S. Fish and Wildlife Service

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